

## PROPOSED MXW ZONING CODE AMENDMENTS

1. Parking location -The current language of the Code prohibits parking "...between the front propertyline and the front building facade, [and] in any side yard." The issue with this regulation arises with corner lots. Such lots are defined as having two fronts and two sides, thus this parking standard does not allow for any location to have off-street parking (unless it is underground, on the roof, or in an interior courtyard. To fix this issue, Section 28-312.3.5 (d) is proposed to be amended as follows:

(D) Off-street parking may not be located between the water's edge and the waterfront facade of any principal building, nor between the front property line and the front building facade, nor in any side yard. If the Planning Commission determines that there are no practicable alternatives, in the Water's Edge sub-district, parking in side yards may be permitted.

**Notwithstanding the foregoing, parking may be permitted in side yards on any corner lot.**

2. When the Middle Housing Types were added to the new Zoning Code adopted towards the end of 2021, the traditional multifamily apartment complex (previously listed as simply "Multifamily") was inadvertently deleted from the MXW Use Table. It should be added back, as follows:

TABLE 312 A						
		MXW Sub-Districts				Notes
		Water’s Edge	Water View	Inland	Port Street	
Residential Uses						
Bed & Breakfast*		--	P	--	P	
Middle Housing Types						
	Duplex, side-by-side*	--	P	P	P	
	Duplex, stacked*	--	P	P	P	
	Cottage Court*	--	P	P	P	
	Fourplex, stacked*	--	P	P	P	
	Townhouse*	--	P	P	P	
	Triplex, stacked*	--	P	P	P	
	Mansion Apartment*	--	P	P	P	
	Courtyard Building*	--	P	P	P	
	Live-Work Units*	--	P	P	P	
	Home Occupation*	--	A	A	A	
Multi-family Apartment Complex*		P	P	P	P	

Single Family Detached*	--	P	P	--	Max. house size of 2,500 sq. ft. & Max. lot size of 7,200 sq. ft. (Max lot size may be averaged for projects of 10 or more lots)
Day Care (Family)*	--	SE	SE	--	
Home Occupation*	--	A	A	--	
Swimming Pools	--	A	A	--	

3. There is an issue with the prescribed setbacks for the Port Street Sub-District, which has arisen by the street cross-section currently contemplated along Port to accommodate the Rail-Trail extension. The issue comes into play when the Trail is proposed to be located within an easement, which remains part of the property and results with the setback landing very close to, or even within, the easement, which is unworkable. To address this issue, the following revision to the setback language as found in Table 312 B is proposed:

TABLE 312 B								
Development Standard	SUBDISTRICT							
	Water's Edge		Water View		Inland		Port Street	
	Base	Max	Base	Max	Base	Max	Base	Max
Minimum Lot Size*	½ acre (21,780 sq. ft)	½ acre (21,780 sq. ft.)	¼ acre (10,890 sq. ft.)	¼ acre (10,890 sq. ft.)	5,000 square feet	5,000 square feet	5,000 square feet	5,000 square feet
Max. Dwelling Units per acre	N/A	N/A	12 du/ac	20 du/ac	12 du/ac	30 du/ac	12 du/ac	30 du/ac
Max. Height**	30'	30'	40'	50'	50'	65'	40'	50'
Maximum Stories**	1.5	2.0	2.5	4.0	3.0	5.0	3.0 (2.5 min.)	4.0
Max. Lot Coverage	20%	30%	30%	45%	40%	75%	50%	80%
Water's Edge Setback***	25' min.	25' min.	N/A	N/A	N/A	N/A	N/A	N/A
Front Setback****	5' Min. 15' Max.	5' Min. 15' Max.	5' Min. 15' Max.	5' Min. 15' Max.	5' Min. 15' Max.	5' Min. 15' Max.	<b>West of Easton Parkway:</b> The minimum setback from Port Street shall be 29 feet from the centerline of Port on the northern side of the street and 41 feet from the centerline on the southern side. The maximum setback	

							shall be 39 feet from the centerline of Port on the northern side and 51 feet from the centerline on the southern side. <b>East of Easton Parkway:</b> The minimum setback from Port Street shall be 39 feet from the centerline of Port and the maximum setback shall be 51 feet from the centerline of Port.*****	
Minimum Side Setback	5’	5’	N/A	N/A	N/A	N/A	N/A	N/A

\* For subdivisions of 10 or more lots, the minimum lot size may be replaced by an average lot size of the specified dimension.

\*\* Height and stories in the Zoning District shall be measured from Base elevation.

\*\*\* The Water's Edge setbacks are measured from the line of mean high tide, and are subject to Critical Area Regulations per 28-401.

\*\*\*\* Measured from the property line.

\*\*\*\*\* For parcels that are (or will become) subject to an easement for the Easton Rail Trail, the maximum front setback from Port Street shall be 10' from the southern edge of the easement.